



Arizona House of Representatives House Majority Research MEMORANDUM

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To: Representative Kern

Re: HB 2615: campuses; free speech zone; prohibition

Date: April 11, 2016

CONCUR-REFUSE BLUE SHEET #12

[HB 2615](#) passed the Senate on April 11, 2016, ([21-8-1-0](#)) and is listed on **Blue Sheet #12**.

AS PASSED THE HOUSE

HB 2615 prohibits a community college or university from limiting any area on campus where free speech may be exercised, subject to reasonable time, place and manner restrictions.

SENATE AMENDMENTS

The Senate amended HB 2615 as follows:

1. Specifies that a *public forum includes* both a traditional public forum and a designated public forum.
2. Removes permissive language allowing a university or community college to restrict a student's speech in a public forum under specified conditions.
3. Prohibits a university or community college from imposing restrictions on the time, place and manner of student speech that:
 - a. occurs in a public forum; and
 - b. is protected by the First Amendment to the U.S. Constitution unless the restrictions:
 - i. are unreasonable;
 - ii. are justified without reference to the content of the regulated interest;
 - iii. are narrowly tailored to serve a significant governmental interest; or
 - iv. leave open ample alternative channels for communication of the information.
4. Permits the Attorney General or a student whose expressive rights were violated to bring an action to enjoin any violation or recover reasonable court costs and attorney fees.
5. Requires a person to bring an action within one year after the date the cause of action accrues.

6. Provides that each day the violation persists, or a policy in violation remains in effect, constitutes a new violation and is considered a day the cause of action has accrued.
7. Directs the court, on a finding of violation, to award the aggrieved person injunctive relief, reasonable court costs and attorney fees.
8. Makes technical changes.